



WEST VIRGINIA REGISTER

Published by the Office of the Secretary of State

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Volume XXVIII

Issue 10

March 11, 2011

Pages 365 - 400

A Weekly Publication

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CHRONOLOGICAL INDEX, VOLUME XXVIII ISSUE 10

NO NEW PROPOSED RULES WERE FILED FOR PUBLIC COMMENT THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>HEARING/COMMENT PERIOD/LOCATION</u>

NO NEW EMERGENCY RULES WERE FILED THIS WEEK

<u>AGENCY</u>	<u>RULE/TYPE</u>	<u>AUTHORITY</u>	<u>EFFECTIVE DATE</u>	<u>DATE NOTICE FOR HEARING</u>

MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
28th Judicial Circuit Public Defender Corporation <i>Board of Directors Meeting</i>	3/9/2011	This is a special board meeting to approve roof quote.	March 23, 2011 5:00 PM Office of the Public Defender 723 Main Street Summersville, WV 26651
Administration, Department of <i>Design-Build Board</i>	3/2/2011	Consideration of Application of McDowell County School Board for support building and facilities for athletics at River View High School.	March 17, 2011 10:00 AM Purchasing Division Conference Room 2019 Washington Street, East Charleston, WV
Administration, Department of <i>Committee for the Purchase of Commodities and Services from the Handicapped</i>	3/3/2011	Contact Cedric Greene at (304) 558-4331 for agenda.	March 16, 2011 10:00 AM Precision Services 483 Elk River Road Gassaway, WV 26062
Board of Respiratory Care	3/2/2011	Regular Scheduled Meeting. Agenda available 3 days prior by calling 304-558-1382	March 16, 2011 11:00 AM 106 Dee Drive, Suite 1 Charleston, WV 25311
Broadband Deployment Council	3/1/2011	regular monthly meeting	March 18, 2011 11:00 AM Building 6, Room 6A
Coal Mine Health & Safety, Board of <i>Mine Safety and Technology Task Force</i>	2/24/2011	Monthly meeting	March 18, 2011 9:00 AM Country Inn & Suites Alex Lane Charleston, WV
Coal Mine Health and Safety, Board of <i>Mine Safety Technology Task Force</i>	2/24/2011	Monthly meeting; will also meet 03/18/11	March 17, 2011 10:00 AM Country Inn & Suites Alex Lane Charleston, WV
Commerce <i>Coal Mine Health and Safety Board</i>	2/24/2011	Monthly meeting	March 22, 2011 9:00 AM Days Hotel Flatwoods (Sutton), WV
Commerce <i>Coal Mine Health and Safety Board</i>	2/24/2011	Monthly meeting; will also meet 03/22/11	March 21, 2011 1:00 PM Days Hotel Flatwoods (Sutton), WV
Commerce, Bureau of <i>WV Division of Natural Resources</i>	2/15/2011	public hearing - applicant plans to raise and sell Whitetail Deer - being held pursuant to WV Code, Chapter 20, Article 1A, Section 5(3)	March 21, 2011 06:00 PM WV Division of Natural Resources District II Office Romney, WV

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Commerce, Tourism Division, Film Office section <i>Film Credit Development Committee</i>	3/7/2011	Call to Order; Approval of Minutes; Review of Application(s) [Executive Session]; Vote on Applications (Open Session); New Business; Old Business; Adjourn	March 16, 2011 1:30 PM WV Division of Tourism Conference Room 90 MacCorkle Ave SW South Charleston, WV 25303
Early Intervention Interagency Coordinating Council, WV	2/24/2011	The WV Early Intervention Interagency Coordinating Council will meet Wednesday, March 16, 2011 for its regular meeting at Days Hotel and Conference Center in Sutton, WV. The meeting is scheduled to begin at 9:30 am and will end at 3:30 pm. The Council, mandated by Part C of the Individuals with Disabilities Education Act (IDEA), is to advise and assist the WV Department of Health and Human Resources in the implementation of the WV Birth to Three System. Interested persons are invited to attend. For anyone needing special accommodations, information or agenda copies, please contact Sheila Zickefoose, Council Director, five days prior to the meeting to coordinate arrangements.	March 16, 2011 9:30 AM Days Hotel and Conference Center 2000 Sutton Lane Sutton, WV
Eastern WV Community & Technical College <i>Board of Governors' Meeting</i>	3/4/2011	Regular meeting of the Board of Governors	March 16, 2011 12:00 PM 316 Eastern Drive; Moorefield, WV 26836
Economic Development Authority	3/9/2011	Regular monthly meeting. The Board of Directors will also consider and take action on the purchase of property in Brooke County.	March 17, 2011 10:00 AM NorthGate Business Park 160 Association Drive Charleston, West Virginia
Educational Broadcasting Authority	12/15/2010	Quarterly Meeting	March 16, 2011 10:00 AM 600 Capitol Street Charleston WV 25301
Environmental Protection, WV Dept. of <i>DEP Advisory Council Meeting</i>	2/16/2011	Regular quarterly meeting of the Environmental Protection Advisory Council.	March 17, 2011 1:30 PM WVDEP - Headquarters 601 57th Street, SE Charleston, WV 25304 West Virginia Conference Room (3001)
Insurance Commissioner <i>Workers' Compensation Industrial Council</i>	3/9/2011	Office of Judges Report; Old Business; New Business; Executive Session regarding Self-Insurance matters.	March 22, 2011 3:00 PM Offices of the WV Insurance Commissioner Greenbrooke Building 1124 Smith Street, Room 400 Charleston, WV

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Labor <i>Contractor Licensing</i>	3/8/2011	Contractor Licensing Teleconference Agenda: 1. DeBello Masonry 2. D&N Masonry 3. General Discussion	March 16, 2011 10:00 AM WV Division of Labor Bldg. 6, Rm. 749, Capitol Complex Charleston, WV 25305
Lottery	3/8/2011	Approval of video games of licensed or permitted video lottery terminal manufacturers Set agenda for the March 2011 monthly business meeting	March 17, 2011 12:00 PM Conference Call at Lottery Headquarters 312 MacCorkle Avenue Charleston, WV
Mountwest Community & Technical College <i>Institutional Board of Governors</i>	3/8/2011	Regular monthly meeting of the Board. The agenda will be available at www.mctc.edu or by calling 304-696-4325.	March 18, 2011 10:00 AM Mountwest Community & Technical College Cooking & Culinary Institute 917 Third Avenue Huntington
Municipal Home Rule Board	2/15/2011	Regular business meeting	March 17, 2011 10:30 AM State Capitol Complex Bldg. 6, Conference Room 6a Charleston, West Virginia
New River Community and Technical College <i>Board of Governors</i>	3/7/2011	Emergency meeting to discuss and approve tuition and fee schedule for FY 2012 and lease agreement.	March 15, 2011 10:00 AM Emergency conference call originating from the President's Office 221 George Street, Suite 2 Beckley
Physical Therapy, WV Board of	1/17/2011	Quarterly Board Meeting	March 16, 2011 10:00 AM WV Board of Physical Therapy 101 Dee Drive Charleston, WV 25311
Professional Engineers, WV State Bd. of Reg. for	12/2/2010	To conduct a regularly scheduled Board Meeting. An agenda will be available at least 3 business days prior to the meeting by contacting the Board office.	March 22, 2011 9:00 AM WV PE Board Office 300 Capitol Street - Suite 910 Charleston, WV 25301
Professional Surveyors, WV Board of <i>Complaint Review Committee</i>	3/1/2011	Review Complaints	March 17, 2011 8:30 AM Board Office Sutton, WV
Professional Surveyors, WV Board of	3/1/2011	Regularly Scheduled Board Meeting and Complaint Review. Agenda available three (3) business days prior to meeting by contacting the Board Office.	March 22, 2011 10:00 AM Board Office (via teleconference) Sutton, WV

*This meeting was filed late and does not comply with the Open Governmental Proceedings Act

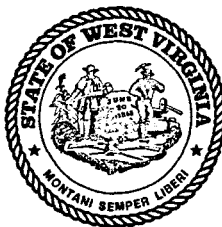
MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Public Broadcasting Foundation, WV	12/15/2010	Quarterly Meeting	March 16, 2011 12:00 PM 600 Capitol Street Charleston WV 25301
Public Defender Corp - 23rd Judicial Circuit	3/3/2011	Emergency Board Meeting	March 9, 2011 12:00 PM Peking Restaurant Queen Street Martinsburg, West Virginia 25401
Putnam County Development Authority, Inc. <i>Board of Directors</i>	12/10/2010	Required monthly Board of Directors meeting	March 22, 2011 4:30 PM Putnam County Chamber of Commerce 5664 State Route 34 Winfield, WV 25213
Putnam Day Report Center <i>Putnam County Community Criminal Justice Board</i>	3/7/2011	2011-12 Community Corrections Grant Approval	March 17, 2011 3:00 PM Putnam County Courthouse
Racing Commission	2/15/2011	Regular monthly meeting. Agenda and room location will be posted at www.wvracingcommission.com 1 week prior to meeting.	March 18, 2011 10:00 AM Mardi-Gras Casino & Resort 1 Greyhound Drive Cross Lanes, WV 25313
Real Estate Commission	2/11/2011	Regular Meeting	March 23, 2011 9:00 AM 300 Capitol Street Charleston, WV 25301
Region 7 Workforce Investment Board <i>Region 7 Workforce Investment Board</i>	2/14/2011	Meeting	March 17, 2011 6:00 PM Deaf and Blind School Seaton Hall Romney, WV
Region 8 Planning and Development Council	2/28/2011	Monthly meeting	March 17, 2011 12:30 PM Region 8 Planning and Development Council Regional office conference room Grant County Industrial Park Airport Road Petersburg, WV
Registered Nursing Board <i>Education Committee</i>	3/7/2011	Review matters related to WV Nursing Education Programs.	March 18, 2011 8:15 AM WV RN Board 101 Dee Dr., Suite 102 Charleston, WV

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

MEETING NOTICES			
Open Governmental Proceedings Act §6-9A et seq.			
Agency	Date Filed	Purpose	Meeting Date/Location
Registered Professional Nurses, WV Board of	2/4/2011	Regular Board Meeting	March 18, 2011 9:00 AM Board Conference Room 101 Dee Drive, Suite 102 Charleston, WV 25311
Registered Professional Nurses, WV Board of	2/4/2011	Regular Board Meeting	March 17, 2011 9:00 AM Board Conference Room 101 Dee Drive, Suite 102 Charleston, WV 25311
Social Work Examiners, WV Board of	2/4/2011	Conduct official business and hear investigation report.	March 17, 2011 1:30 PM Ramada Plaza Clay Meeting Room-2nd Avenue South Charleston WV
Solid Waste Management Board, WV	3/8/2011	Financial Statements, Purchasing Card Report, Assessment Fee and Tonnage Data, Grant Status Report and Executive Directors Report	March 16, 2011 11:00 AM Conference Room 1041 DEP Headquarters 601 57th Street, SE Charleston, WV 25304
State Personnel Board	3/9/2011	Regularly scheduled monthly meeting of the State Personnel Board.	March 17, 2011 2:00 PM State Capitol Complex Building 6 Room 425
Treasury Investments, Board of	3/7/2011	Board Meeting; Agenda - Review staff recommendations on the hiring of an investment consultant and authorize staff to proceed with award of a Purchase Order.; Conference Call instructions may be obtained by calling Glenda Probst at (304) 340-1578 or Kara Brewer at (304) 340-1564.	March 16, 2011 9:00 AM West Virginia State Treasurer's Office 1900 Kanawha Blvd., E. Bldg. 1, Room EB 54 Charleston, WV 25305
WorkForce West Virginia <i>Workforce Investment Board</i>	3/9/2011	Monthly Workforce Investment Boards' Director's Meeting; Items include but not limited to: Local Plans, Local Plans Worksheet, Fiscal and Open Discussion	March 17, 2011 10:00 AM 112 California Avenue Charleston, WV 25305
WVU Parkersburg <i>Board of Governors Executive Committee</i>	3/7/2011	Meet with WVU at Parkersburg Foundation Executive Committee to review Campaign Feasibility Study Presentation.	March 23, 2011 12:00 PM WVU Parkersburg 300 Campus Drive Parkersburg, WV 26104

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

<u>PRICE LIST</u>		
<u>AGENCY</u>	<u>RULE/ORDER</u>	<u>AMOUNT</u>



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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1.	Agency Name, (Title and Series Number)
Column	2.	Rule Title, Price and Type
Column	3.	Date Notice of Public Hearing or Comment Period Filed
Column	4.	Date of Public Hearing or Last Date Comments Will Be Received
Column	5.	Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule)
Column	6.	Date Agency Approved Legislative Rules Filed.
Column	7.	Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee
Column	8.	Legislative Action
Column	9.	Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules
Column	10.	Date Rule is Effective

-
- Titles followed by an asterisk (**) indicate that the rule is in effect as an emergency
 - Emergency rules will not have a "Notice" date until the agency files one but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
 - If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)
 - If a particular step is not required by law for a particular rule, the "N/A" will appear in the excluded step column
 - Once a rule becomes effective & the effective date appears in Column 10, the rule will be removed from the monitor after the rule is distributed in the loose leaf version of the Code of State Rules

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

<u>TITLE NUMBER</u>	<u>NAME OF AGENCY</u>
TITLE 3	BARBERS AND COSMETOLOGISTS
TITLE 7	PROFESSIONAL ENGINEERS
TITLE 10	LICENSED PRACTICAL NURSES
TITLE 11	MEDICINE
TITLE 13	OCCUPATIONAL THERAPY
TITLE 14	OPTOMETRY
TITLE 15	PHARMACY
TITLE 16	PHYSICAL THERAPY
TITLE 17	PSYCHOLOGISTS
TITLE 20	SANITARIANS
TITLE 24	OSTEOPATHY
TITLE 25	SOCIAL WORK EXAMINERS
TITLE 26	VETERINARY MEDICINE
TITLE 27	COUNSELING
TITLE 29	SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY
TITLE 33	OFFICE OF WASTE MANAGEMENT (FORMERLY PART OF TITLE 47)
TITLE 35	OFFICE OF OIL AND GAS
TITLE 36	COAL MINE HEALTH & SAFETY
TITLE 38	MINING & RECLAMATION
TITLE 42	LABOR
TITLE 45	OFFICE OF AIR QUALITY
TITLE 47	OFFICE OF WATER RESOURCES
TITLE 48	MINES TRAINING EDUCATION & CERTIFICATION
TITLE 56	MINERS' HEALTH, SAFETY AND TRAINING
TITLE 58	NATURAL RESOURCES
TITLE 60	ENVIRONMENTAL PROTECTION, SECRETARY'S OFFICE
TITLE 61	AGRICULTURE
TITLE 63	CONSERVATION AGENCY
TITLE 64	HEALTH
TITLE 65	HEALTH CARE AUTHORITY
TITLE 69	HEALTH & HUMAN RESOURCES
TITLE 76	SENIOR SERVICES
TITLE 78	HUMAN SERVICES
TITLE 81	STATE POLICE
TITLE 82	CULTURE AND HISTORY
TITLE 85	WORKERS COMPENSATION BY THE INSURANCE COMMISSION
TITLE 86	VETERANS AFFAIRS
TITLE 87	FIRE COMMISSION
TITLE 90	CORRECTIONS
TITLE 91	MOTOR VEHICLES
TITLE 94	REGIONAL JAIL & CORRECTIONAL FACILITY AUTHORITY
TITLE 96	WORKFORCE WEST VIRGINIA
TITLE 110	TAX DEPARTMENT
TITLE 112	TREASURER
TITLE 113	HEALTH INSURANCE PLAN
TITLE 114	INSURANCE
TITLE 126	EDUCATION
TITLE 127	SECONDARY SCHOOLS ACTIVITIES COMM.
TITLE 133	HIGHER EDUCATION POLICY COMMISSION
TITLE 135	COMMUNITY & TECHNICAL COLLEGE EDUCATION
TITLE 143	PERSONNEL
TITLE 144	TOURISM
TITLE 146	STATE ELECTION COMMISSION
TITLE 148	ADMINISTRATION
TITLE 149	CRIME, DELINQUENCY AND CORRECTION
TITLE 150	PUBLIC SERVICE COMMISSION
TITLE 153	SECRETARY OF STATE
TITLE 157	DIVISION OF HIGHWAYS
TITLE 158	ETHICS COMMISSION
TITLE 162	CONSOLIDATED PUBLIC RETIREMENT BOARD
TITLE 172	STATE RAIL AUTHORITY
TITLE 175	ALCOHOL BEVERAGE CONTROL COMMISSION
TITLE 176	ALCOHOL BEVERAGE CONTROL COMMISSION - BEER
TITLE 177	ATHLETIC COMMISSION
TITLE 178	RACING COMMISSION
TITLE 179	LOTTERY
TITLE 184	PARKWAYS ECONOMIC DEV. & TOURISM AUTHORITY
TITLE 190	REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD
TITLE 191	FAMILY PROTECTION SERVICES BOARD
TITLE 199	EXPLOSIVES & BLASTING
TITLE 204	HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY
TITLE 205	OUTDOOR HERITAGE CONSERVATION FUND
TITLE 207	COALFIELD COMMUNITY DEVELOPMENT
TITLE 210	GOHELP

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Adjutant General (141-49)	Military Justice \$12.10 Legislative Exempt							11/3/2010	11/3/2010
Administration (148-3)	State Owned Vehicles \$4.80 Legislative	6/25/2010	7/25/2010	6/25/2010 Effective 8/6/2010	7/26/2010	Modified with Certain Amendments & Approved 1/10/2011 Filed 1/21/2011	SB 286 HB 2896 Bundled SB 112		
Agriculture (61-2)	West Virginia Apiary Law of 1991 \$4.40 Legislative	6/1/2010	7/1/2010	6/1/2010 Approved 7/8/2010	7/26/2010	Modified & Approved 9/13/2010 Filed 9/21/2010	SB 102 HB 2605 Bundled HB 2639		
Agriculture (61-6C)	General Groundwater Protection Rules for Fertilizers and Manures \$4.60 Legislative	6/1/2010	7/1/2010		7/12/2010	Approved 7/21/2010	SB 104 HB 2569 Bundled HB 2639		
Agriculture (61-16)	Inspection of Meat and Poultry \$4.80 Legislative	6/14/2010	7/14/2010		7/20/2010	Approved 8/10/2010	SB 103 HB 2568 Bundled HB 2639		
Air Quality (45-8)	Ambient Air Quality Standards \$16.90 Legislative	6/9/2010	7/12/2010		7/28/2010	Approved 1/9/2011	SB 114 HB 2580 Bundled SB 121		
Air Quality (45-14)	Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration \$11.60 Legislative	6/9/2010	7/12/2010		7/28/2010	Modified & Approved 1/10/2011 Filed 1/11/2011	SB 289 HB 2899 Bundled SB 121		
Air Quality (45-16)	Standards of Performance for New Stationary Sources \$13.70 Legislative	6/9/2010	7/12/2010		7/28/2010	Approved 1/9/2011	SB 115 HB 2576 Bundled SB 121		
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste \$9.80 Legislative	6/9/2010	7/12/2010		7/28/2010	Modified & Approved 1/9/2011 Filed 1/11/2011	SB 290 HB 2900 Bundled SB 121		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-19)	Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution Which Cause or Contribute to Nonattainment \$14.30 Legislative	6/9/2010	7/12/2010		7/28/2010	Approved 1/9/2011	SB 117 HB 2577 Bundled SB 121		
Air Quality (45-25)	Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities \$14.40 Legislative	6/9/2010	7/12/2010		7/28/2010	Approved 1/9/2011	SB 118 HB 2578 Bundled SB 121		
Air Quality (45-30)	Requirements for Operating Permits \$12.70 Legislative	1/11/2011	2/14/2011	12/21/2010 Effective 2/1/2011					
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants \$21.70 Legislative	6/9/2010	7/12/2010		7/28/2010	Approved 1/9/2011	SB 119 HB 2579 Bundled SB 121		
Alcohol Beverage Control Comm. (175-1)	Licensed Retailer Operations \$6.00 Legislative	9/14/2009	10/15/2009	8/31/2009 Approved 10/8/2009	11/20/2009	Modified & Approved 1/9/2011 Filed 1/20/2011	SB 287 HB 2897 Bundled SB 177		
Alcohol Beverage Control Comm. (175-5)	Licensing of Retail Outlets \$12.80 Legislative	9/14/2009 12/10/2009	10/15/2009 1/12/2010	8/31/2009 Approved 10/8/2009 Amendment 12/10/2009 Approved 12/14/2009	11/20/2009 2/22/2010	Modified & Approved 1/9/2011 Filed 1/19/2011	SB 288 HB 2898 Bundled SB 177		
Barbers & Cosmetologists (3-1)	Procedures, Criteria and Curricula for Examination and Licensure of Barbers, Cosmetologists, Manicurists and Aestheticians \$6.00 Legislative	6/18/2010	7/22/2010		7/30/2010	Modified & Approved 10/11/2010 Filed 10/18/2010	SB 105 HB 2606 Bundled HB 2639		
Barbers & Cosmetologists (3-2)	Qualification Training, Examination of Licensure of Instructors \$4.00 Legislative	6/18/2010	7/22/2010		7/30/2010	Modified & Approved 10/11/2010 Filed 10/18/2010	SB 106 HB 2607 Bundled HB 2639		
Barbers & Cosmetologists (3-4)	Operational Standards for Schools of Barbering and Beauty Culture \$3.80 Legislative	6/18/2010	7/22/2010		7/30/2010	Modified & Approved 10/11/2010 Filed 10/18/2010	SB 107 HB 2608 Bundled HB 2639		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Barbers & Cosmetologists (3-6)	Schedule of Fees \$2.40 Legislative	5/10/2010	6/11/2010	4/27/2010 Withdrawn 5/10/2010 5/7/2010 Approved 5/14/2010	6/18/2010	Approved 10/11/2010 Filed 10/18/2010	SB 108 HB 2570 Bundled HB 2639		
Coal Mine Health and Safety (36-44)	Mine Rescue Requirements for the Office of Miners' Health, Safety and Training \$3.00 Legislative	4/22/2010	5/28/2010					11/30/2010	12/30/2010
Community & Technical College Ed. (135-23)	Standards and Procedures for Undergraduate Admissions at Comm. & Tech. Colleges \$3.60 Procedural	10/29/2010	11/29/2010						
Consolidated Public Retirement Board (162-1)	General Provisions \$4.60 Legislative	5/7/2010	6/7/2010		7/22/2010	Approved 8/10/2010	SB 109 HB 2571 Bundled SB 112		
Consolidated Public Retirement Board (162-3)	Teachers' Defined Contribution System \$5.00 Legislative	5/7/2010	6/7/2010		7/22/2010	Approved 8/10/2010	SB 110 HB 2572 Bundled SB 112		
Consolidated Public Retirement Board (162-5)	Public Employees Retirement System \$5.80 Legislative	5/7/2010	6/7/2010	4/13/2010 Effective 5/25/2010	7/22/2010	Approved 8/10/2010	SB 111 HB 2573 Bundled SB 112		
Consolidated Public Retirement Board (162-7)	Refund, Reinstatement, Retroactive Service, Loan and Employer Error Interest Factors \$5.40 Legislative	5/7/2010	6/7/2010		7/22/2010	Approved 8/10/2010	SB 112 HB 2574 Bundled SB 112		
Consolidated Public Retirement Board (162-9)	West Virginia State Police \$5.40 Legislative	5/7/2010	6/7/2010	4/13/2010 Effective 5/25/2010	7/22/2010	Approved 8/10/2010	SB 113 HB 2575 Bundled SB 112		
Crime, Delinquency and Correction (149-2)	Law Enforcement Training Standard \$8.20 Legislative	6/7/2010	7/15/2010		7/23/2010	Modified & Approved 10/11/2010 Filed 10/13/2010	SB 124 HB 2614 Bundled HB 2613		
Crime, Delinquency and Correction (149-3)	Protocol for Law Enforcement Response to Domestic Violence \$12.10 Legislative	6/23/2010	7/24/2010		7/27/2010	Modified & Approved 11/16/2010	SB 125 HB 2613 Bundled HB 2613		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Ethics Commission (158-20)	Forms \$3.00 Legislative	4/13/2010	5/14/2010		6/24/2010	Modified & Approved 8/10/2010 Filed 8/20/2010	SB 123 HB 2612 Bundled SB 112		
Explosives & Blasting (199-1)	WV Explosives & Blasting Rule \$9.00 Legislative	6/10/2010	7/13/2010		7/30/2010	Modified & Approved 1/10/2011 Filed 1/18/2011	SB 291 HB 2901		
THE ABOVE RULE WAS WITHDRAWN 2/16/2011									
Health (64-1)	Rules of Procedure for Contested Case Hearings and Declaratory Rulings \$5.40 Procedural	6/24/2010	7/26/2010					12/30/2010	1/30/2011
Health (64-3)	Public Water Systems \$5.20 Legislative	6/23/2010	7/23/2010		7/29/2010	Approved 11/16/2010	SB 129 HB 2583 Bundled SB 295		
Health (64-29)	Specialized Multipatient Medical Transport \$5.60 Legislative	6/29/2010	7/29/2010		7/30/2010	Approved 1/10/2011	SB 128 HB 2582 Bundled SB 295		
Health (64-43)	Food Manufacturing Facilities \$3.00 Legislative	6/10/2010	7/12/2010		7/29/2010	Modified & Approved 11/16/2010 Filed 1/3/2011	SB 130 HB 2617 Bundled SB 295		
Health (64-44)	Fire Department Rapid Response Services Licensure \$4.00 Legislative	6/29/2010	7/29/2010		7/30/2010	Approved 1/10/2011	SB 131 HB 2584 Bundled SB 295		
Health (64-48)	Emergency Medical Services \$13.80 Legislative	6/29/2010	7/29/2010		7/30/2010	Modified & Approved 1/10/2011 Filed 1/24/2011	SB 294 HB 2904 Bundled SB 295		
Health (64-68)	Cancer Registry \$4.20 Legislative	6/23/2010	7/23/2010		7/29/2010	Approved 10/11/2010	SB 132 HB 2585 Bundled SB 295		

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-95)	Immunization Requirements and Recommendations for New School Enterers \$8.20 Interpretive	12/23/2010	1/24/2011					2/10/2011	3/12/2011
Health (64-97)	Maternal Risk Screening \$2.60 Legislative	6/23/2010	7/23/2010		7/29/2010	Modified & Approved 10/11/2010 Filed 1/3/2011	SB 133 HB 2618 Bundled SB 295		
Health (64-98)	Safety and Treatment Program \$3.20 Legislative	6/30/2010	7/30/2010	6/30/2010 Approved 8/11/2010	7/30/2010	Modified & Approved 11/16/2010 Filed 12/3/2010	SB 295 Bundled SB 295 HB 2905		
Health (64-99)	Requirement for Licensure of Nonprofit Corporations for Conservation Service \$4.80 Legislative	6/30/2010	7/30/2010	6/30/2010 Approved 8/11/2010	7/30/2010	Modified & Approved 11/16/2010 Filed 12/3/2010	SB 126 HB 2615 Bundled SB 295		
Health Care Authority (65-7)	Certificate of Need Rule \$7.20 Legislative	6/15/2010	7/16/2010		7/28/2010	Modified & Approved 11/16/2010 Filed 12/8/2010	SB 127 HB 2616 Bundled SB 295		
Higher Education Policy Comm. (133-20)	Authorization of Degree Granting Institutions \$11.60 Legislative Exempt	10/6/2010	11/5/2010		12/8/2010	Approved 12/13/2010	SB 514		
Highways (157-6)	Use of State Road Rights of Way and Adjacent Areas \$9.80 Legislative	6/7/2010	7/7/2010	6/7/2010 Approved 7/8/2010	7/16/2010	Modified & Approved 11/17/2010 Approved 1/9/2011	SB 135 HB 2586 Bundled HB 2586		
Highways (157-7)	Transportation of Hazardous Wastes Upon the Roads and Highways \$4.60 Legislative	6/15/2010	7/15/2010		7/16/2010	Approved 12/14/2010	SB 136 HB 2587 Bundled HB 2586		
Highways (157-10)	Community Empowerment Transportation Act Program \$4.60 Legislative	6/25/2010	7/26/2010		7/27/2010	Modified & Approved 11/17/2010	SB 134 HB 2619 Bundled HB 2586		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Commission (114-6)	Credit Life Insurance, Credit Accident and Sickness Insurance, and Credit Unemployment Insurance \$5.40 Legislative	6/15/2010	7/15/2010		7/27/2010	Modified & Approved 9/13/2010 Filed 9/28/2010	SB 142 HB 2623 Bundled SB 177		
Insurance Commission (114-11B)	Suitability in Annuity Transactions \$7.40 Legislative	6/15/2010	7/15/2010		7/29/2010	Approved 9/13/2010	SB 137 HB 2588 Bundled SB 177		
Insurance Commission (114-25)	Insurance Adjusters \$6.40 Legislative	6/15/2010	7/15/2010	6/15/2010 Withdrawn 7/15/2010	7/27/2010	Modified & Approved 10/11/2010 Filed 10/20/2010	SB 138 HB 2620 Bundled SB 177		
Insurance Commission (114-32)	Long-Term Care Insurance \$15.40 Legislative	6/11/2010	7/12/2010		7/29/2010	Modified & Approved 9/13/2010 Filed 9/28/2010	SB 139 HB 2621 Bundled SB 177		
Insurance Commission (114-41)	Actuarial Opinion and Memorandum Rule \$7.20 Legislative	6/11/2010	7/12/2010		7/27/2010	Approved 9/13/2010	SB 140 HB 2589 Bundled SB 177		
Insurance Commission (114-41A)	Property and Casualty Actuarial Opinion \$3.00 Legislative	6/15/2010	7/15/2010	9/1/2010 Effective 10/13/2010	7/27/2010	Modified & Approved 11/16/2010 Filed 12/1/2010	SB 141 HB 2622 Bundled SB 177		
Insurance Commission (114-61)	Credit Personal Property \$6.00 Legislative	6/15/2010	7/15/2010		7/27/2010	Approved 9/13/2010	SB 143 Bundled SB 177 HB 2590		
Insurance Commission (114-65)	Self-Insurance Pools for Political Subdivisions \$5.20 Legislative	6/18/2010	7/18/2010		7/27/2010	Modified & Approved 11/16/2010 Filed 12/1/2010	SB 144 HB 2624 Bundled SB 177		
Insurance Commission (114-68)	Valuation of Life Insurance Companies \$7.80 Legislative	6/11/2010	7/12/2010		7/27/2010	Approved 10/11/2010	SB 145 HB 2591 Bundled SB 177		
Insurance Commission (114-69A)	Recognition of Preferred Mortality Tables for Use in Determining Minimum Reserve Liabilities \$5.20 Legislative	6/11/2010	7/12/2010		7/27/2010	Approved 10/11/2010	SB 146 HB 2592 Bundled SB 177		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Commission (114-85)	Professional Employer Organizations \$5.60 Legislative	6/11/2010	7/12/2010	6/11/2010 Effective 7/23/2010	7/27/2010	Approved 10/11/2010	SB 147 HB 2593 Bundled SB 177		
Insurance Commission (114-91)	Health Maintenance Organization Point of Service Option \$6.60 Legislative	6/11/2010	7/12/2010		7/27/2010	Approved 11/16/2010	SB 148 HB 2594 Bundled SB 177		
Labor (42-21)	Elevator Safety Act \$4.20 Legislative	6/29/2010	7/29/2010		7/30/2010	Modified & Approved 9/13/2010 Filed 9/23/2010	SB 149 HB 2625 Bundled HB 2626		
Labor (42-21A)	Supervision of Elevator Mechanics and Apprentices \$4.00 Legislative	6/29/2010	7/29/2010		7/30/2010	Modified & Approved 9/13/2010 Filed 9/23/2010	SB 150 HB 2626 Bundled HB 2626		
Labor (42-24)	Crane Operator Certification Act \$4.80 Legislative	6/16/2010	7/16/2010		7/23/2010	Modified & Approved 9/13/2010 Filed 9/23/2010	SB 151 HB 2627 Bundled HB 2626		
Labor (42-25)	Crane Operator Certification Act – Practical Examination \$3.00 Legislative	6/16/2010	7/16/2010		7/23/2010	Modified & Approved 9/13/2010 Filed 9/23/2010	SB 152 HB 2628 Bundled HB 2626		
Mines Training Education & Certification (48-4)	Initial Training Program for Prospective Mine Rescue Team Members and Additional Mine Rescue Requirements \$3.60 Legislative Exempt							11/30/2010	12/30/2010
Mining & Reclamation (38-2)	West Virginia Surface Mining Reclamation Rule \$31.50 Legislative	12/16/2009 6/10/2010	1/18/2010 7/13/2010	12/16/2009 Approved 12/23/2009	2/1/2010 7/30/2010	Modified with Certain Amendments & Approved 1/10/2011 Filed 1/18/2011	SB 292 HB 2902 Bundled SB 121		
Motor Vehicles (91-12)	Motor Vehicle Inspection Manual \$33.50 Legislative	6/18/2010	7/19/2010		7/26/2010	Approved 11/15/2010	SB 153 HB 2647 Bundled HB 2586		

RULE MONITOR									
AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Motor Vehicles (91-19)	Approval of Motor Vehicle Accident Prevention Courses \$3.80 Interpretive	12/28/2010	2/1/2011						
Natural Resources (58-27)	Special Motorboating Regulations \$2.60 Legislative	5/4/2010	6/6/2010	4/13/2010 Effective 5/27/2010	6/29/2010	Modified & Approved 7/21/2010 Filed 7/28/2010	SB 154 HB 2629 Bundled HB 2626		
Natural Resources (58-47)	Prohibitions When Hunting and Trapping \$4.00 Legislative	6/15/2010	7/16/2010		7/22/2010	Approved 8/10/2010	SB 155 HB 2595 Bundled HB 2626		
Natural Resources (58-49)	General Hunting \$4.00 Legislative	6/15/2010	7/16/2010		7/22/2010	Approved 8/10/2010	SB 156 HB 2596 Bundled HB 2626		
Natural Resources (58-60)	Fishing Regulations \$7.20 Legislative Exempt							12/22/2010	1/1/2011
Nursing Home Administrators Licensing Bd. (21-1)	Nursing Home Administrators \$5.80 Legislative	2/14/2011	3/16/2011						
Optometry (14-1)	Rules of the WV Bd. of Optometry \$3.60 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 157 HB 2630 Bundled HB 2639		
Optometry (14-2)	Expanded Prescriptive Authority \$3.00 Legislative	6/25/2010	7/26/2010		7/30/2010	Filed 1/3/2011	SB 296 HB 2906 Bundled HB 2639		
Optometry (14-3)	Contested Case Hearing Procedure \$3.00 Procedural	6/25/2010	7/26/2010		7/30/2010	1/4/2011 LRMRC requested withdrawl as Leg. rule. To be final filed as prodecural		1/4/2011	2/5/2011
Optometry (14-4)	Disciplinary and Complaint Procedures for Optometrists \$3.20 Procedural	6/25/2010	7/26/2010		7/30/2010	1/4/2011 LRMRC requested withdrawl as Leg. rule. To be final filed as prodecural		1/4/2011	2/5/2011

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Optometry (14-5)	Schedule of Fees \$2.60 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 159 HB 2632 Bundled HB 2639		
Optometry (14-6)	Examination and Scoring Policy \$2.60 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 160 HB 2633 Bundled HB 2639		
Optometry (14-8)	Licensure by Endorsement \$2.60 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 161 HB 2634 Bundled HB 2639		
Optometry (14-9)	Contact Lenses that Contain and Deliver Pharmaceutical Agents Certificate \$2.40 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 162 HB 2635 Bundled HB 2639		
Optometry (14-10)	Continuing Education \$2.80 Legislative	6/25/2010	7/26/2010		7/30/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 158 HB 2631 Bundled HB 2639		
Optometry (14-11)	Injectable Pharmaceutical Agents Certificate \$3.20 Legislative	6/24/2010	7/23/2010		7/30/2010	Modified with certain amendments and approved 12/14/2010 Filed 12/23/2010	SB 297 HB 2907 Bundled HB 2639		
Osteopathy (24-2)	Osteopathic Physician Assistants \$5.00 Legislative	6/14/2010	7/14/2010	6/14/2010 Approved 7/8/2010 Amendment 11/10/2010 Approved 11/17/2010	7/30/2010	Modified & Approved 11/16/2010 Filed 11/29/2010	SB 163 HB 2636 Bundled HB 2639		
Osteopathy (24-5)	Fees for Services Rendered by the Bd. of Osteopathy \$2.60 Legislative	6/14/2010	7/14/2010		7/28/2010	Modified & Approved 11/16/2010 Filed 11/29/2010	SB 164 HB 2637 Bundled HB 2639		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-1)	Board of Pharmacy Rules Regarding Licensure and the Practice of Pharmacy \$13.80 Legislative	6/17/2010	7/18/2010		7/29/2010	Approved 11/16/2010	SB 165 HB 2597 Bundled HB 2639		
Pharmacy (15-8)	Controlled Substances Monitoring \$6.40 Legislative	6/17/2010	7/18/2010		7/29/2010	Approved 11/16/2010	SB 166 HB 2598 Bundled HB 2639		
Physical Therapy (16-1)	Supervision of a Physical Therapist Assistant \$13.80 Legislative	6/29/2010	7/29/2010	6/29/2010 Approved Section 8 only 7/14/2010 Amendment 11/5/2010 Approved Section 8 only 11/16/2010	7/30/2010	Modified & Approved 12/14/2010 Filed 12/21/2010	SB 167 HB 2638 Bundled HB 2639		
Physical Therapy (16-4)	Fees for Physical Therapist and Physical Therapist Assistant \$3.80 Legislative	6/29/2010	7/29/2010		7/30/2010	Approved 12/14/2010	SB 168 HB 2599 Bundled HB 2639		
Physical Therapy (16-5)	General Provisions for Athletic Trainers \$2.80 Legislative	6/29/2010	7/29/2010		7/30/2010	Modified & Approved 9/13/2010 Filed 9/20/2010	SB 169 HB 2639 Bundled HB 2639		
Physical Therapy (16-6)	Fees for Athletic Trainers \$2.40 Legislative	6/29/2010	7/29/2010		7/30/2010	Modified & Approved 9/13/2010 Filed 9/20/2010	SB 170 HB 2640 Bundled HB 2639		
Public Service Commission (150-5)	Rules for the Government of Sewer Utilities \$27.00 Legislative Exempt	8/15/2008	10/31/2008					3/9/2011	5/8/2011
Public Service Commission (150-7)	Rules for the Government of Water Utilities \$30.70 Legislative Exempt	8/15/2008	10/31/2008					3/9/2011	5/8/2011
Public Service Commission (150-33)	Rules Governing Electric Utility Net Metering Arrangements and Interconnections \$14.30 Exempt Legislative	12/27/2010	1/26/2011						

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Public Service Commission (150-35)	Rules Governing Innovative, Alternative Sewer Systems \$5.60 Legislative Exempt	2/9/2011	3/15/2011						
Racing Commission (178-1)	Thoroughbred Racing \$21.40 Legislative	6/7/2010	7/8/2010		7/27/2010	Modified & Approved 1/10/2011 Filed 1/20/2011	SB 298 HB 2908 Bundled SB 177		
Racing Commission (178-2)	Greyhound Racing \$12.30 Legislative	6/29/2010	7/29/2010		7/30/2010	Modified & Approved 1/10/2011 Filed 1/20/2011	SB 299 HB 2909 Bundled SB 177		
Racing Commission (178-5)	Pari-Mutuel Wagering \$14.70 Legislative	6/7/2010	7/8/2010		7/16/2010	Modified & Approved 1/10/2011 Filed 1/20/2011	SB 300 HB 2910 Bundled SB 177		
Racing Commission (178-6)	Due Process and Hearings \$5.20 Procedural	1/21/2011	2/22/2011						
Risk & Insurance Management (115-8)	Administrative Appeal Hearing Rules for the Patient Injury Compensation Fund \$3.20 Procedural	1/11/2011	2/11/2011						
Sanitarians, Bd. Of Reg. for (20-1)	Rules of Procedure for Contested Case Hearings and Declaratory Rulings \$4.00 Procedural	12/28/2010	1/28/2011						
Sanitarians, Bd. Of Reg. for (20-2)	Procedure for the Investigation and Resolution of Complaints \$3.80 Procedural	12/28/2010	1/28/2011						
Sanitarians, Bd. Of Reg. for (20-3)	Interim Fee Schedule \$3.60 Legislative	6/17/2010	7/19/2010	5/18/2010 Effective 6/29/2010	7/29/2010	Approved 11/16/2010	SB 171 HB 2600 Bundled HB 2639		
Sanitarians, Bd. of Ref. for (20-4)	Rules Governing the Practice of Public Health Sanitation \$4.60 Legislative	6/23/2010	7/23/2010		7/29/2010	Approved 11/16/2010	SB 172 HB 2601 Bundled HB 2639		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Secretary of State (153-25)	Combined Voter Registration and Driver Licensing Fund \$4.60 Legislative	10/8/2010	11/8/2010		11/12/2010	Approved 1/9/2011	SB 173 HB 2602 Bundled HB 2639		
State Election Commission (146-5)	WV Supreme Court of Appeals Public Campaign Financing Pilot Program \$6.20 Legislative	6/18/2010	7/19/2010		7/29/2010	Modified & Approved 1/9/2011 Filed 1/14/2011	SB 293 HB 2903 Bundled HB 2639		
State Rail Authority (172-2)	Valuation of Used Rolling Stock and Equipment \$3.60 Legislative	3/31/2010	4/30/2010		5/13/2010	Approved 8/10/2010	SB 174 HB 2603 Bundled HB 2586		
Tax Department (110-10D)	Use and Acceptance of Electronic Records \$5.40 Procedural	12/29/2010	1/31/2011						
Tax Department (110-10F)	Payment of Taxes by Electronic Funds Transfer \$6.80 Legislative	1/26/2011	2/24/2011	12/29/2010 Approved 2/8/2011					
Tax Department (110-13Q)	Commercial Patent Incentives Tax Credit \$4.40 Legislative	6/14/2010	7/15/2010		7/28/2010	Modified & Approved 10/11/2010 Filed 11/5/2010	SB 175 HB 2641 Bundled SB 177		
Tax Department (110-50E)	Exchange of Information Agreement Between the State Tax Department and the WV Lottery \$3.60 Legislative	6/3/2010	7/6/2010		7/26/2010	Approved 10/11/2010	SB 176 HB 2604 Bundled SB 177		
Tax Department (110-50F)	Exchange of Information Agreement Between the State Tax Department and the State Fire Marshal \$2.40 Legislative	6/3/2010	7/6/2010		7/26/2010	Modified & Approved 10/11/2010 Filed 11/5/2010	SB 177 HB 2642 Bundled SB 177		
Treasurer's Office (112-3)	Establishment of Imprest Funds \$2.80 Legislative	5/26/2010	6/28/2010		6/30/2010	Modified & Approved 7/21/2010 Filed 7/30/2010	SB 301 HB 2911 Bundled HB 2639		
Veterinary Medicine (26-1)	Organization and Operation and Licensing of Veterinarians \$5.60 Legislative	6/25/2010	7/26/2010		7/27/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 178 HB 2643 Bundled HB 2639		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
Veterinary Medicine (26-3)	Registration of Veterinary Technicians \$4.20 Legislative	6/25/2010	7/26/2010		7/27/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 179 HB 2644 Bundled HB 2639		
Veterinary Medicine (26-4)	Standards of Practice \$5.80 Legislative	6/25/2010	7/26/2010		7/27/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 180 HB 2645 Bundled HB 2639		
Veterinary Medicine (26-5)	Certified Animal Euthanasia Technicians \$4.60 Legislative	6/25/2010	7/26/2010	6/25/2010 Effective 8/6/2010	7/27/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 181 HB 2646 Bundled HB 2639		
Veterinary Medicine (26-6)	Schedule of Fees \$2.80 Legislative	6/25/2010	7/26/2010		7/27/2010	Modified & Approved 11/16/2010 Filed 11/24/2010	SB 182 HB 2566 Bundled HB 2639		
Waste Management (33-20)	Hazardous Waste Management Rule \$7.00 Legislative	6/14/2010	7/15/2010		7/30/2010	Modified & Approved 9/13/2010 9/21/2010	SB 116 HB 2609 Bundled SB 121		
Water Resources (47-2)	Requirements Governing Water Quality Standards \$12.80 Legislative	3/3/2010 6/4/2010	4/1/2010 7/19/2010	3/3/2010 Approved 3/5/2010	6/4/2010 7/30/2010	Approved 1/10/2011	SB 122 HB 2581 Bundled SB 121		
Water Resources (47-10)	National Pollutant Discharge Elimination System (NPDES) System \$13.90 Legislative	Called up by 2011 Legislature					Bundled SB 121		
Water Resources (47-12)	Requirements Governing Groundwater Standards \$3.20 Legislative	6/11/2010	7/15/2010		7/23/2010	Modified & Approved 9/13/2010 Filed 9/14/2010	SB 121 HB 2611 Bundled SB 121		
Water Resources (47-60)	Monitoring Well Design Standards \$8.40 Legislative	6/15/2010	7/15/2010		7/26/2010	Modified & Approved 9/13/2010 Filed 9/22/2010	SB 120 HB 2610 Bundled SB 121		

RULE MONITOR

AGENCY/SERIES NO	RULE	NOTICE	HEARING	EMER RULE	SEC/STATE	LRMRC-ACTION	LEGIS	FINAL FILE	EFFECTIVE
WorkForce West Virginia (96-3)	Employer Violator System \$3.60 Legislative	8/5/2009	9/7/2009	7/31/2009 Approved 8/24/2009 Amendment 9/28/2010 ERD by 11/9/2010 Expired 10/31/2010	9/24/2009	Modified & Approved 10/11/2010 Filed 10/18/2010	SB 183 HB 2567 Bundled HB 2626		

LEGISLATIVE

WV INCOME MAINTENANCE MANUAL
MANUAL MATERIAL TRANSMISSION

DATE: March 1, 2011
CHANGE NUMBER: 611

TO: ALL INCOME MAINTENANCE MANUAL HOLDERS

DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
v – vi	1	8/05	v – vi	1	3/11
6a	1	1/10	6a	1	3/11
7	1	10/08	7	1	3/11
8	1	7/07	8	1	7/07
16e – 16f	1	1/10	16e	1	3/11
			16f	1	1/10
63 – 64	1	7/05	63 – 64	1	3/11
65 – 66	1	7/05	65 – 66	1	3/11
66a	1	7/05	66a	1	3/11
			66b	1	3/11
67	1	7/06	67 – 68	1	3/11
68	1	10/07			
73 – 74	1	7/06	73 – 74	1	3/11
i	7	3/10	i	7	3/11
ii – iii	7	1/09	ii – iii	7	3/11
1 – 2	7	1/09	1	7	1/09
			2	7	3/11
3	7	7/10	3 – 4	7	3/11
4	7	11/09			
4a	7	7/10	4a – 4b	7	3/11
			4c – 4d	7	3/11
5 – 6	7	11/09	5 – 6	7	3/11

7	7	11/09	7	7	3/11
8	7	1/11	8	7	1/11
39	7	7/10	39	7	7/10
40	7	11/09	40	7	3/11
41 - 42	7	1/09	41	7	3/11
			42	7	1/09
B-1	7	7/06	B-1	7	3/11

This Change provides Policy for aligning Qualified, Poverty-Level and WV CHIP Children's redetermination dates. This Policy is implemented March 2011.

NOTE: When alignment of these groups occur and a child/dren later loses eligibility, the Worker must continue any previous continuous period of eligibility to which any other QC, PL, or WV CHIP child was entitled prior to alignment.

A second Change provides Policy for implementing **passive redetermination** in alternate years for Qualified and Poverty-Level Children. Due to necessary system changes that have not yet taken place, this Policy is implemented April 2011 for children's Medicaid groups. (The passive redetermination process in alternate years is already in place for WV CHIP Children and continues.)

Other Changes appear below:

CHAPTER 1:

The TOC was updated to reflect Chapter Changes.

Section 1.2: Policy was added to require the Worker to provide the opportunity for an applicant to choose limiting access to their case information to certain staff when it is to their advantage.

Section 1.9, A: Grammatical changes were made. Form names were updated. Clarification was added regarding availability of the WV-KIDS-1 and its distribution. A NOTE was added.

Section 1.9,G: Changes were made to include Qualified and Poverty-Level Children to the passive review process that is already in place for WV CHIP. A NOTE was added to explain who processes WV CHIP passive reviews that do not include QC or PL Children.

Section 1.9, N: Clarification was made regarding when QC and PL redetermination notices are mailed and due. Policy was updated to include the passive redetermination process for QC and PL Children. A cross-reference was added.

Section 1.9, O: A NOTE was added to explain who processes WV CHIP passive reviews that do not include QC or PL Children.

Section 1.9, R: Clarification was added that the passive redetermination process is a redetermination special procedure. Policy was updated to include the passive redetermination

LEGISLATIVE

WV INCOME MAINTENANCE MANUAL MANUAL MATERIAL TRANSMISSION					
DATE:	March 1, 2011			CHANGE NUMBER:	613
TO:	ALL INCOME MAINTENANCE MANUAL HOLDERS				
DELETE			INSERT OR CHANGE		
PAGES	CHAPTER	DATED	PAGES	CHAPTER	DATED
71 - 72	1	1/11	71 - 72	1	3/11
i - ii	3	7/10	i - ii	3	3/11
1	3	1/10	1 - 2	3	3/11
2	3	7/07			
3	3	1/10	3 - 4	3	3/11
4	3	7/10			
5 - 6	3	1/10	5 - 6	3	3/11
7 - 8	3	1/10	7 - 8	3	3/11
9 - 10	3	7/10	9 - 10	3	3/11
11 - 12	3	7/10	11 - 12	3	3/11
13	3	7/07	13 - 14	3	3/11
14	3	1/10			
A - 1	3	9/06	A - 1	3	3/11
B - 1 - B - 2	3	10/05	B - 1 - B - 2	3	3/11
C - 1	3	10/05	C - 1	3	3/11
C - 2	3	7/07	C - 2	3	7/07
9	4	8/10	9	4	3/11
10	4	3/09	10	4	3/09
i	7	3/10	i	3	3/11
ii	7	1/09	ii	7	1/09
11	7	10/00	11	7	3/11

12	7	11/09	12	7	11/09
31	11	12/09	31	11	3/11
32	11	1/11	32	11	1/11
37 - 38	17	2/11	37	17	2/11
			38	17	3/11
38a	17	2/11	38a - 38b	17	3/11
i	23	7/10	i	23	7/10
ii	23	12/10	ii	23	3/11
17	23	12/10	17	23	12/10
18	23	7/10	18	23	3/11
i - ii	27	6/09	i	27	3/11
			ii	27	6/09
3 - 4	27	6/09	3 - 4	27	3/11
5 - 6	27	6/09	5	27	6/09
			6	27	3/11
i	28	2/11	i	28	2/11
ii	28	7/09	ii	28	3/11
7 - 8	28	7/09	7	28	7/09
			8	28	3/11

This Change adds Policy to include provisions of the Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act of 2010. These provisions are effective December 17, 2010. This Act disregards federal tax refunds or advance payments received January 1, 2010 through December 31, 2012 as income and as resources for a period of 12 months after receipt for all programs. Individuals applying for Long Term Care benefits may not be penalized for transferring these tax refunds during the exclusion period; and, any tax refund placed into a trust during the exclusion period may not be counted as a resource.

The title of WV IMM Chapter 3 was changed from Income and Eligibility Verification System (IEVS) to Data Exchange; various table of contents (TOC) were updated to reflect the name change; WV CHIP and children's Medicaid groups were added to the list of denied applications that are referred by RAPIDS to the Office of Maternal, Child and Family Health (OMCFH) to be evaluated for other pregnancy-related services; clarification of ART was added to Chapter 27.

LEGISLATIVE

West Virginia
Secretary of State
Natalie Tennant
Administrative Law Division

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SECRETARY OF STATE

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #5

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2011 MAR -9 PM 3:57

Changes to Social Services Manuals

Agency: West Virginia Department of Health and Human Resources

Bureau: Children and Families, Division of Children and Adult Services
78-5

Rule: _____

Change Number: _____

Revision existing manual: Yes X No _____

This section of Adoption Policy 7.3 is replacing existing Adoption Policy section 7.3. If you have any questions concerning this you may contact Maggie Molitor at 558-5734 or email me at Maggie.w.molitor@wv.gov.

NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: Public Service Commission TITLE NUMBER: 150

CITE AUTHORITY: W.Va. Code §24-2-2

RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE X

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W.Va. Code §29A-1-3

AMENDMENT TO AN EXISTING RULE: YES X NO _____

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 5

TITLE OF RULE BEING AMENDED: Rules For The Government Of Sewer Utilities

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE

EFFECTIVE DATE OF THIS RULE IS May 8, 2011


Authorized Signature

\$27.00

LEGISLATIVE

WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #5

Do Not Mark In This Box

2011 MAY -9 PM 3:57

NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: Public Service Commission TITLE NUMBER: 150

CITE AUTHORITY: W.Va. Code §24-2-2

RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE X

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W.Va. Code §29A-1-3

AMENDMENT TO AN EXISTING RULE: YES X NO _____

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 7

TITLE OF RULE BEING AMENDED: Rules For The Government Of Water Utilities

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE

EFFECTIVE DATE OF THIS RULE IS May 8, 2011


Authorized Signature

#70.70

Orders Report

Docket Number	Agency	Respondent	Decision Date
10-1/3/4/6/8/9-9334-A	Health Care Authority	HCR ManorCare Heartland, LLC and HCP 2010 REIT LLC	2/23/2011
07-2-8611-R	Health Care Authority	Kidney Associates, PLLC	2/23/2011
10-WV-9327-A	Health Care Authority	Onex Rescare Holdings Corp.	2/23/2011
11-1-9349-X	Health Care Authority	West Virginia Dept. of Health and Human Resources Bureau for Behavioral Health and Health Facilities	2/23/2011
11-2/6-9356-X	Health Care Authority	Braley & Thompson, Inc.	2/23/2011
11-5-9359-X	Health Care Authority	Children's Home Society of West Virginia Arthur N. Gustke Child Shelter	2/23/2011
11-6-9355-X	Health Care Authority	Genesis Youth Crisis Center	2/23/2011
11-10-9354-X	Health Care Authority	Northwood Health Systems	2/23/2011
10-4-9337-X	Health Care Authority	Rainelle Medical Center, Inc.	2/23/2011
11-3-9339-X	Health Care Authority	Family Counseling Connection	3/3/2011
N/A	Medicine	Paul Dean Wagner, M.D.	3/1/2011

Grievance Decisions

Docket #	Grievant	Respondent	Dec Date
2009-0800-CONS	Larry Boothe et al	Highways	2/17/2011
2009-0800-CONS	Larry Boothe et al	Transportation	2/17/2011
2010-0105-DHHR	Martha Gale Poore	Bureau for Children & Families	2/11/2011
2010-0105-DHHR	Martha Gale Poore	DHHR	2/11/2011
2010-0242-DHHR	Denise Rhines	DHHR	2/1/2011
2010-0242-DHHR	Denise Rhines	Maternal Child & Family Health	2/1/2011
2010-0280-DOT	Jason Blevins	Highways	2/9/2010
2010-0448-DHHR	Gale Poore	Bureau for Children & Families	2/11/2011
2010-0448-DHHR	Gale Poore	DHHR	2/11/2011
2010-0498-MonED	Illa Powroznik-Hess	Monongalia Co BOE	2/10/2011
2010-0519-CONS	John Carpenter et al	Monongalia Co BOE	2/10/2011
2010-0592-LinED	Brenda Powell	Lincoln Co BOE	2/14/2011
2010-0636-BSC	Daniel Frost	Bluefield State College	2/24/2011
2010-0733-GreED	Evelyn Dolin	Greenbrier Co BOE	2/28/2011
2010-0767-CONS	Cynthia Bodkin et al	Randolph Co BOE	2/23/2011
2010-0833-DOR	Milodine F Holstein	Insurance Commission	2/17/2011
2010-0833-DOR	Milodine F Holstein	Personnel	2/17/2011
2010-0969-BroED	Linda Kay Miller	Brooke Co BOE	2/22/2011
2010-0996-CONS	Phil Coss	Ohio Co BOE	2/28/2011
2010-1015-DOR	Barbara L Spradling	Insurance Commission	2/28/2011

Docket #	Grievant	Respondent	Dec Date
2010-1378-CONS	Charles Hackney	Jackson Co BOE	2/24/2011
2010-1378-CONS	Paul Weekley	Jackson Co BOE	2/24/2011
2010-1690-CONS	Michael Prince	Boone Co BOE	2/28/2011
2011-0189-SU	Danny Santiago	Shepherd University	2/10/2011
2011-0410-DOC	Michael William Baugess	DNR	2/22/2010



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Office of the Secretary

One Davis Square, Suite 100, East
Charleston, West Virginia 25301
Telephone: (304) 558-0684 Fax: (304) 558-1130

Earl Ray Tomblin
Governor

Michael J. Lewis, M.D., Ph.D.
Cabinet Secretary

March 2, 2011

Secretary of State
Building 1, Suite 157-K
1900 Kanawha Boulevard, East
Charleston, WV 25305

To Whom It May Concern:

We are pleased to submit to the Secretary of State the attached application for FFY 2011 funds under Part C of the Individuals with Disabilities Education Act (IDEA). It is a requirement of our federal grant to make this document available for public review.

If you have any comments or questions, you may submit them to:

Pamela S. Roush, Director
WV Birth to Three
350 Capitol Street, Room 427
Charleston, WV 25301
Phone: (304) 558-5388
Fax: (304) 558-2183
E-mail: pamela.rous@wv.gov

Sincerely,

Pam Roush, Director
WV Birth To Three

Attachments: Draft FFY 2011 Part C Application

OFFICE OF MATERNAL, CHILD AND FAMILY HEALTH
Bureau for Public Health
350 Capitol Street, Room 427
Charleston, WV 25301-3714

Phone (304) 558-5388 Toll-Free (in WV) 1-800-642-8522 or 1-800-642-9704 FAX (304) 558-2183

OTHER

Public Notice

The public is hereby notified that the Department of Health and Human Resources, Office of Maternal, Child and Family Health (OMCFH), and WV Birth to Three is posting the State's application for FFY2011 funds under Part C of the Individuals with Disabilities Education Act, for public comment. The grant application is required by the U.S. Department of Education, Office of Special Education Programs as a condition of funding. The application is available for review at any WV Birth to Three Regional Administrative Unit (RAU), the WV Developmental Disabilities Council, the West Virginia Secretary of State's Office, or online at www.wvdhhr.org/birth23 from March 4 through May 6, 2010. Persons wanting to submit written comments on the State's application for FY2011 funds under Part C of IDEA, may do so by email to dbwvbt3@wv.gov or by mail to: Pam Roush, Director, WV Birth to Three, 350 Capitol Street, Room 427, Charleston, WV 25301. Comments are due prior to May 6, 2011.

2011 MAR -8 AM 9:56
OFFICE OF STATE



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR PUBLIC HEALTH
OFFICE OF ENVIRONMENTAL HEALTH SERVICES

Earl Ray Tomblin
Governor

Michael J. Lewis, M.D., Ph.D.
Cabinet Secretary

OTHER

CATEGORICAL EXCLUSION DECISION

(March 9, 2011)

MEMORANDUM

TO: Interested Parties
FROM: Robert W. DeCrease, P. E. *Robert DeCrease*
Drinking Water Treatment Revolving Fund
DATE: March 9, 2011
SUBJECT: Categorical Exclusion Decision (CE)
City of St. Marys - Waterline Replacement Project - Phase II
Downtown, West Side Area, Bill's Addition

Please find enclosed the City of St. Marys Water Line Improvements Categorical Exclusion Decision (CE).

The review process concluded that the proposed action is consistent with the categories of actions eligible for categorical exclusion. This means that environmental information documents and environmental assessments or environmental impact statements will not be required for this project.

This decision is based upon a careful review of supporting documents provided by the applicant and other documentation available to the West Virginia Bureau of Public Health (WVBPH). These documents are on file with the WVBPH, Office of Environmental Health Services (OEHS), Environmental Engineering Division (EED), and are available for review upon request.

Comments with this decision may be submitted for consideration to WVBPH/OEHS/EED, attention: Kristy J. Huffman, 350 Capitol Street, Room 313, Charleston, West Virginia 25301-3713. You may also FAX your comments to (304) 558-0691.

RWD:bms

Enclosures

350 Capitol Street, Room 313
Charleston, West Virginia 25301-3713
Telephone: (304) 558-2981 / Fax: (304) 558-0691

TO: ALL INTERESTED PARTIES

In accordance with the Environmental Protection Agency (EPA) regulations for complying with the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190), a review has been performed on a request for a categorical exclusion for the environmental review requirements under NEPA, for the proposed action described below:

City of St. Marys-Waterline Replacement-Phase II
Pleasants County, WV
IUDC Project No.: 2010W-1195
SRF Project No.: 10DWTRFB018

(Official Project Name and Number)

City of St. Marys
418 Second Street
St. Marys, WV 26170

(Project Applicant)

City of St. Marys
Pleasants County, West Virginia

(Project Location, City, County, State)

\$4,420,000

(Estimated Drinking Water Treatment Revolving Fund Financial Share)

\$7,745,000

(Estimated Total Project Cost)

OTHER

PROJECT SUMMARY FOR CATEGORICAL EXCLUSION

PROPOSED ACTION

The City of St. Marys (City) is located along WV Route 2 in Pleasants County, West Virginia, approximately 20 miles north of the City of Parkersburg. The City provides water services from two primary groundwater wells, a carbon dioxide stripping type water treatment plant and through a City owned and operated distribution system for approximately 1,120 residential customers.

The existing distribution system consists of asbestos cement pipe, cast iron, galvanized & transite pipe located in the older part of the City, where water service has been provided since the early 1900's. The proposed action is to replace the distribution waterlines and upgrade portions of the system where deficiencies have been experienced by existing customers. Any existing waterlines that contain asbestos fibers will be abandoned in place and therefore not pose any health hazards to any workers or city residents. The City of St. Marys areas that will be included in this project are the old downtown and the Bill's Addition areas. The old downtown area runs from Creel Street to Clay Street, and two blocks west of WV Route 2. The Bill's Addition area is north of the high school and runs from High Street to Grant Street. The intended outcomes are to eliminate the public health hazard caused by the potential to back-siphon contaminated groundwater into the distribution system when waterline breaks occur. The old waterlines are in areas where sewer lines are also deteriorated. The City will rehab the sewer system at the same time as the water system with a different funding source.

The City of St. Marys has experienced a decline in population over the past forty years, but has had an expanded service potential with subdivisions just outside the city limits, so that the demand for water service has increased in recent years. Without this project the City will not be able to serve the demand for water customers with the existing outdated and undersized distribution system. The undersized lines make fire protection impossible which is viewed as a secondary benefit and greatly affects the growth potential of the area.

This project has treated all residents of the City of St. Marys equally and fairly and upon completion of this phase of the waterline replacement 80 percent of the city's water mains will provide adequate pressures and provide fire protection for all city residents.

Additionally, this project includes system wide upgrades to correct existing problems such as:

- Deteriorated and Undersized water lines
- Hillcrest Circle experiences low water pressure
- Inadequate simplex booster station in Hillcrest Circle area
- Inadequate storage tank capacity (e.g., 8,000 gallons)
- Current water loss (e.g., 30%).

In summary, the project will replace:

- Approximately 27,000 linear feet of water line
- Add a new booster station
- Add a new 48,000 gallon storage tank, adjacent to existing tank.

All of the project will be within City of St. Marys existing right-of-ways.

ENVIRONMENTAL BENEFITS

Environmental benefits will result from this project by conserving the available supply of water. The project will address old leaky lines that can allow contamination of public water from untreated groundwater and provide a safe and reliable source of drinking water to the community. The project will eliminate low pressures and eliminate water leaks. Any existing waterlines that contain asbestos will be abandoned in place and therefore not pose any health hazards to any workers or city residents. Other than temporary disturbance from construction activities, there will be no adverse environmental impact associated with the project. The project planning area is a downtown area.

ENVIRONMENTAL CONSEQUENCES OF NO-ACTION

The public health will be threatened if project does not go forward by the potential for frequent waterline breaks and unacceptable low pressures in the distribution system.

COMPARISON OF ALTERNATIVES

The only alternative is no-action which is not a viable alternative as the current situation is high operating and maintenance costs and high water loss of 30 percent. The completion of phase I replacement project reduced the water loss reduce from 45 percent to 30 percent; therefore it stands to reason that this project will further reduce unaccounted for water loss.

PUBLIC PARTICIPATION

Town Hall Meetings . The meeting topics included information about upcoming Phase II Water & Sewer Line Replacement. The documented meetings were conducted as follows:

- July 6, 2010 at City Council Chambers – this meeting was attended by approximately 7 citizens. The public comments on the water improvement project mainly concerned traffic control and ingress/egress from their property during construction. The fire chief attended and requested improved fire flows in various areas.

OTHER

- January 18, 2011 at Pleasants County Library – this meeting was attended by approximately 18 people. Notice for this meeting was published in local newspapers at least three times before meeting. One citizen with special needs questioned about ingress/egress from property during construction. She was informed that contractor will be required to coordinate with the city and 911 center to accommodate her in the event of an emergency. Another citizen complained about low water pressure on Hillcrest Drive and was told that the new tank will correct the pressure problem in his service area. Another citizen complained of a stormwater drainage problem at the corner of his street and it was explained to him that unfortunately this project would not address his concerns and the current funding mechanisms for stormwater improvements are not available at this time.

All public comments thus far have been positive and mostly residents are inquiring when the project will rehabilitate utility lines on their local street. This project has treated all residents of the City of St. Marys equally and fairly and upon completion of this phase of the waterline replacement 80 percent of the city's water mains will be rehabilitated.

CATEGORICAL EXCLUSION CRITERIA:

EPA regulation 40 CFR 6.106(d) permits the use of categorical exclusions from substantive environmental requirements of the National Environmental Policy Act (NEPA) for:

- (1) Actions which are solely directed toward minor rehabilitation of existing facilities, functional replacement of equipment, or construction of ancillary facilities; or
- (2) Other actions specifically allowed in program specific subparts of this regulation.

Criteria which would prevent the use of a categorical exclusion are found in 40CFR 6.107(e), summarized as follows:

- (1) The action may have a significant effect on the quality of the human environment, or
- (2) The action may affect cultural resource areas, endangered or threatened species, environmentally important natural resource, or other identified resource areas of concern, or
- (3) The action is not cost-effective or may cause public controversy.

ANALYSIS

The proposed project meets the criteria for categorical exclusion. It involves the replacement of old and deteriorating distribution lines, valves, meters and fittings. All work will be done in areas that have previously been disturbed.

REVOCATION

This conclusion can be revoked if additional and/or future information indicates any of the following:

- (1) The proposed action no longer meets the defined category due to changes in the proposed action;
- (2) Serious local or environmental issues now exist;
- (3) Federal, State or Local laws may be violated.

DOCUMENTATION

1. The Request for Categorical Exclusion, on behalf of City of St. Marys dated September 29, 2010, as prepared by S&S Engineers, Inc.
2. Letter dated January, 2010, US Department of the Interior.
3. Letter dated November 6, 2009, WV Division of Natural Resources.
4. Letter dated November 4, 2009 WV Division of Culture and History
5. Letter dated October 26, 2009 US Dept. of Agriculture, Natural Resources Conservation Service
6. General Layout maps showing streets and proposed new water lines.
7. Minutes and attendee lists for two public meetings from July 6, 2010, and January 18, 2011.

Prepared By: Kristy J. Huffman Title: Engineer Associate
Signature: Kristy J. Huffman Date: March 9, 2011
Telephone: 304-558-6755 Address: WVBPH, 350 Capitol Street, Room 313,
Charleston, WV 25301

**WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600**

March 7, 2011

LEGAL NOTICE

James L. Pitrolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending March 4, 2011.

LETTER OF INTENT FOR EXPEDITED REVIEW RECEIVED

January 17, 2011 – Family Counseling Connection, Charleston, Kanawha County, CON File #11-3-9339-X, for the expansion of its Adult Sex Offender services; no capital expenditure.

EXPEDITED APPLICATIONS RECEIVED

February 28, 2011 – Greenbrier Presidential Care, Inc., Akron, Ohio, CON File #11-4-9369-A, for the acquisition of the Greenbrier Clinic, Inc.; capital expenditure: \$2,600,000.

February 28, 2011 – Three Rivers Medical Clinics, Inc., Louisa, Kentucky, CON File #11-2-9370-P, for the development of an ambulatory care center in Crum, Wayne County; capital expenditure: \$20,000.

APPLICATIONS DECLARED COMPLETE AND UNDER REVIEW

An application declared complete is one in which there is sufficient information for the Authority to make an informed decision. It does not mean that the approval of the application is warranted.

EXPEDITED APPLICATIONS

February 25, 2011 – Monongalia General Hospital, Morgantown, Monongalia County, CON File #11-6-9361-H, for the renovation of cardiac catheterization services and the replacement of one cardiac catheterization laboratory; capital expenditure: \$11,000,000.

February 25, 2011 – Oak Hill Clinic Corp., Beckley, Raleigh County, CON File #11-1-9366-P, for the development of an ambulatory care center in Beckley, Raleigh County; capital expenditure: \$90,000.

February 28, 2011 – Greenbrier Presidential Care, Inc., Akron, Ohio, CON File #11-4-9369-A, for the acquisition of the Greenbrier Clinic, Inc.; capital expenditure: \$2,600,000.

OTHER

February 28, 2011 – Three Rivers Medical Clinics, Inc., Louisa, Kentucky, CON File #11-2-9370-P, for the development of an ambulatory care center in Crum, Wayne County; capital expenditure: \$20,000.

February 28, 2011 – Transformations, Inc., Charleston, Kanawha County, CON File #10-3-9298-X/A, for the acquisition of Transformations Weight Loss & Skin Clinic, Inc.; capital expenditure: \$150,000.

The review cycle for the above-referenced projects is as follows:

March 12, 2011 – Review cycle begins;

March 22, 2011 – Last date for an affected person to present reasons why the applicant should complete a standard application to the Authority;

April 11, 2011 – Last date for an affected person to request a public hearing on the project. If a public hearing is requested, notice of time and place will be given in the Saturday editions of the Charleston Gazette and the Charleston Daily Mail, as well as the State Register;

April 12, 2011 – If no public hearing is requested, the file will close and no further information or evidence will be accepted by the Authority and no further contact with the Authority regarding the substance of the application will be permitted;

May 16, 2011 – Decision on the project will be issued by the Authority.

AMENDED PROJECT DETERMINED REVIEWABLE

March 3, 2011 – Family Counseling Connection, Charleston, Kanawha County, CON File #11-3-9339-X, for the expansion of its Adult Sex Offender services; no capital expenditure.

Further information may be obtained on any of the above-referenced projects by contacting Timothy E. Adkins, Director, Certificate of Need Division.

primary/urgent notices March 7, 2011



STATE OF WEST VIRGINIA

REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD

Enola G. Ellis
Administrative Assistant

Sandra S. Kerns, Executive Director
2110 Kanawha Blvd., East Suite 101
Charleston, West Virginia 25311
304-558-3919 Fax 304-558-3983

Karen Hudson
Executive Assistant

PUBLIC NOTICE

TO: The Public
FROM: Sandra Kerns, Executive Director
SUBJECT: Hearing Notice of the WV Real Estate Appraiser
Licensing & Certification Board

The West Virginia Real Estate Appraiser Licensing & Certification Board will hold a Disciplinary Hearing on Tuesday, April 12, 2011, in the Conference Room located at 2110 Kanawha Boulevard, East in Charleston. The hearing is scheduled to begin at 9:30 a.m. and is open to the public.

BOARD MEMBERS

Mary Beth Aliveto, Fairmont R. Scott Barber, Huntington Dale Dawson Closser, Charleston
The Honorable Anthony Julian, Fairmont Charles Robillard, Hepzibah Virginia Shaw, New Haven
David Shields, Bluefield Glenn Summers, Clendenin Linda York, Morgantown

OTHER



Earl Ray Tomblin
Governor

STATE OF WEST VIRGINIA
Department of Revenue
State Tax Department

Craig A. Griffith
State Tax Commissioner

March 2, 2011

THE HONORABLE NATALIE TENANT
SECRETARY OF STATE
BUILDING 1 SUITE 157K
CHARLESTON WV 25305-0770

Dear Ms. Tenant:

West Virginia Code § 11-10-5u provides for the inspection of retail establishments, which sell tobacco products. The purpose of these inspections is to enforce the youth anti-smoking law. To assist you in these inspections, the Law stipulates that the Tax Commissioner provide you with a listing of the names and business locations of each retail establishment, which will sell tobacco products. This list is to be provided by the first day of April and October of each year.

The department has a GenTax program, which will extract the information necessary to identify those businesses selling tobacco products. Please find enclosed a CD containing the list for April 2011.

Should you have any questions regarding the information being supplied, please do not hesitate to call me at (304) 558-8621.

Sincerely,

Diana L. Webb, Tax Unit Supervisor
Excise Tax Unit
Tax Account Administration Division

dlw
Enclosure

THE FOLLOWING ARE PUBLICATION DATES OF THE STATE REGISTER FOR 2011

**DATES ARE THE DATES ALL FILINGS ARE TO BE RECEIVED IN THE
SECRETARY OF STATE'S OFFICE IN ORDER FOR THE MATERIAL TO APPEAR IN
THE STATE REGISTER PUBLISHED ON THE DATE LISTED.**

<u>Deadline Date</u>	<u>Publication Date</u>	<u>Meeting may be held on or after</u>	<u>Deadline Date</u>	<u>Publication Date</u>	<u>Meeting may be held on or after</u>
January 5, 2011	January 7, 2011	January 12, 2011	July 6, 2011	July 8, 2011	July 13, 2011
January 12, 2011	January 14, 2011	January 19, 2011	July 13, 2011	July 15, 2011	July 20, 2011
January 19, 2011	January 21, 2011	January 26, 2011	July 20, 2011	July 22, 2011	July 27, 2011
January 26, 2011	January 28, 2011	February 2, 2011	July 27, 2011	July 29, 2011	August 3, 2011
February 2, 2011	February 4, 2011	February 9, 2011	August 3, 2011	August 5, 2011	August 10, 2011
February 9, 2011	February 11, 2011	February 16, 2011	August 10, 2011	August 12, 2011	August 17, 2011
February 16, 2011	February 18, 2011	February 23, 2011	August 17, 2011	August 19, 2011	August 24, 2011
February 23, 2011	February 25, 2011	March 2, 2011	August 24, 2011	August 26, 2011	August 31, 2011
March 2, 2011	March 4, 2011	March 9, 2011	August 31, 2011	September 2, 2011	September 7, 2011
March 9, 2011	March 11, 2011	March 16, 2011	September 7, 2011	September 9, 2011	September 14, 2011
March 16, 2011	March 18, 2011	March 23, 2011	September 14, 2011	September 16, 2011	September 21, 2011
March 23, 2011	March 25, 2011	March 30, 2011	September 21, 2011	September 23, 2011	September 28, 2011
March 30, 2011	April 1, 2011	April 6, 2011	September 28, 2011	September 30, 2011	October 5, 2011
April 6, 2011	April 8, 2011	April 13, 2011	October 5, 2011	October 7, 2011	October 12, 2011
April 13, 2011	April 15, 2011	April 20, 2011	October 12, 2011	October 14, 2011	October 19, 2011
April 20, 2011	April 22, 2011	April 27, 2011	October 19, 2011	October 21, 2011	October 26, 2011
April 27, 2011	April 29, 2011	May 4, 2011	October 26, 2011	October 28, 2011	November 2, 2011
May 4, 2011	May 6, 2011	May 11, 2011	November 2, 2011	November 4, 2011	November 9, 2011
May 11, 2011	May 13, 2011	May 18, 2011	November 8, 2011	November 10, 2011	November 15, 2011
May 18, 2011	May 20, 2011	May 25, 2011	November 16, 2011	November 18, 2011	November 23, 2011
May 25, 2011	May 27, 2011	June 1, 2011	November 21, 2011	November 23, 2011	November 28, 2011
June 1, 2011	June 3, 2011	June 8, 2011	November 30, 2011	December 2, 2011	December 7, 2011
June 8, 2011	June 10, 2011	June 15, 2011	December 7, 2011	December 9, 2011	December 14, 2011
June 15, 2011	June 17, 2011	June 22, 2011	December 14, 2011	December 16, 2011	December 21, 2011
June 22, 2011	June 24, 2011	June 29, 2011	December 21, 2011	December 23, 2011	December 28, 2011
June 29, 2011	July 14, 2011	July 6, 2011	December 28, 2011	December 30, 2011	January 4, 2012